



Rec'd PST/PTO 05 AUG 2005

#4

PATENT

Attorney Docket No.: 2838 (203-3033PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Derek M. Blaha, et al.

Examiner: Unknown

Serial No.: 10/516,865

Art Unit: Unknown

Filed: December 3, 2004

For: Illuminated Foot-Switch

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated June 21, 2005, Applicant encloses herewith a properly executed copy of Declaration and Power of Attorney in compliance with 35 U.S.C. 371, along with a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). Please charge the required fee of \$130.00 to cover the surcharge under 37 C.F.R. 1.492(e) to Deposit Account No. 21-0550.

BEST AVAILABLE COPY

BEST AVAILABLE COPY

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s), to Deposit Account No. 21-0550. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Date: 7/29/05

Respectfully submitted,



Paul Gardon
Registration No. 48,761

United States Surgical,
A Division of Tyco Healthcare Group, LP
150 Glover Avenue
Norwalk, Connecticut 06856
Tel: 303-530-6572
Fax: 303-581-6632

06/20/2005 ATRANI 00000131 210550 10516635
01 FC:1617 130.00 DA

PATENT

Atty. Docket No: 2838 (203-3033PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Derek M. Blaha, et-al.

SERIAL NO. : 10/516,865 EXAMINER : Unknown

FILED : December 3, 2004 GROUP ART UNIT Unknown

FOR : Illuminated Foot-Switch

CERTIFICATE OF MAILINGDate of Deposit: August 3, 2005

I hereby certify that the following:

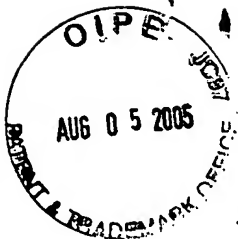
- ☒ This Certificate of Mailing
- ☒ Response to Notification of Missing Requirements
- ☒ Notification of Missing Requirements
- ☒ Combined Declaration and Power of Attorney
- ☒ Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

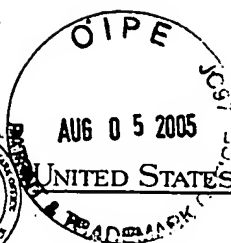
Mary Jo Milacek
Mary Jo Milacek

United States Surgical, a division of
TYCO HEALTHCARE GROUP LP
150 Glover Avenue
Norwalk, CT 06856
(303) 530-6138

BEST AVAILABLE COPY



PCT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/516,865

Derek Blaha

2838PCTUS(203-3033
PCTUS)

INTERNATIONAL APPLICATION NO.

PCT/US03/17126

I.A. FILING DATE

PRIORITY DATE

05/29/2003

06/11/2002

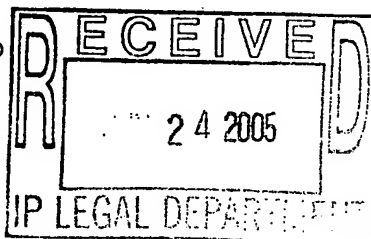
CONFIRMATION NO. 8547

371 FORMALITIES LETTER



OC000000016333404

United States Surgical
a division of Tyco Healthcare Group
150 Glover Avenue
Norwalk, CT 06856



Date Mailed: 06/21/2005

Formal Papers Due: Aug 21, 2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/03/2004
- Copy of the International Search Report filed on 12/03/2004
- Preliminary Amendments filed on 12/03/2004
- U.S. Basic National Fees filed on 12/03/2004
- Priority Documents filed on 12/03/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

BEST AVAILABLE COPY

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------------------|
| 10/516,865 | PCT/US03/17126 | 2838PCTUS(203-3033 PCTUS) |

FORM PCT/DO/EO/905 (371 Formalities Notice)

BEST AVAILABLE COPY